

PROFESSIONAL LICENSURE DIVISION[645]

Adopted and Filed

Rule making related to initial licensure and licensure reactivation

The Board of Barbering hereby amends Chapter 21, “Licensure,” and Chapter 24, “Continuing Education for Barbers,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code chapters 158 and 272C and section 147.76.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code chapters 147 and 158.

Purpose and Summary

This rule making changes the process of applying for endorsement by requiring an applicant to provide verification of licensure only from the jurisdiction in which the applicant was most recently licensed and disclose public or pending complaints in any other jurisdiction and by removing notary requirements. This rule making also updates the definitions of “hour of continuing education” and “independent study” and removes the requirement for a posttest.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on August 10, 2022, as **ARC 6459C**. A public hearing was held on August 30, 2022, at 9 a.m. in the Fifth Floor Conference Room 526, Lucas State Office Building, Des Moines, Iowa. No one attended the public hearing. No public comments were received. No changes from the Notice have been made.

Adoption of Rule Making

This rule making was adopted by the Board on January 26, 2023.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

This rule making expedites initial licensure and licensure reactivation, which supports the Governor’s priorities.

Waivers

A waiver provision is not included in this rule making because all administrative rules of the professional licensure boards in the Professional Licensure Division are subject to the waiver provisions accorded under 645—Chapter 18.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s

meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on March 29, 2023.

The following rule-making actions are adopted:

ITEM 1. Amend paragraph **21.2(1)“f”** as follows:

f. An applicant shall provide verification of license(s) license from every the state in which the applicant has most recently been licensed as a barber, sent directly from the state(s) state to the Iowa board of barbering office. The applicant must also disclose any public or pending complaints against the applicant in any other jurisdiction.

ITEM 2. Amend paragraph **21.2(2)“b”** as follows:

b. Provide a ~~notarized~~ copy of the certificate or diploma awarded to the applicant from a barber school in the country in which the applicant was educated.

ITEM 3. Amend subrule 21.16(3) as follows:

21.16(3) Provide verification of current competence to practice as a barber by satisfying one of the following criteria:

a. If the license has been on inactive status for five years or less, an applicant must provide the following:

(1) Verification of the license(s) license from every the jurisdiction in which the applicant ~~is or has been licensed and is or~~ has most recently been practicing during the time period the Iowa license was inactive, sent directly from the jurisdiction(s) jurisdiction to the board office. The applicant must also disclose any public or pending complaints against the applicant in any other jurisdiction. Web-based verification may be substituted for verification from a jurisdiction’s board office if the verification includes:

1. Licensee’s name;
2. Date of initial licensure;
3. Current licensure status; and
4. Any disciplinary action taken against the license; and

(2) Verification of completion of three hours of continuing education that meet the continuing education standards defined in rule 645—24.3(158,272C) within two years of application for reactivation; or verification of active practice, consisting of a minimum of 2,080 hours, in another state or jurisdiction during the two years preceding an application for reactivation.

b. If the license has been on inactive status for more than five years, an applicant must provide the following:

(1) Verification of the license(s) license from every the jurisdiction in which the applicant ~~is or has been licensed and is or~~ has most recently been practicing during the time period the Iowa license was inactive, sent directly from the jurisdiction(s) jurisdiction to the board office. The applicant must also disclose any public or pending complaints against the applicant in any other jurisdiction. Web-based verification may be substituted for verification from a jurisdiction’s board office if the verification includes:

1. Licensee’s name;
2. Date of initial licensure;
3. Current licensure status; and
4. Any disciplinary action taken against the license; and

(2) Verification of completion of three hours of continuing education that meet the continuing education standards defined in rule 645—24.3(158,272C) within two years of application for reactivation; and or verification of active practice, consisting of a minimum of 2,080 hours, in another state or jurisdiction during the two years preceding an application for reactivation.

~~(3) Verification of passing the examinations required by the board within one year immediately prior to reactivation if the applicant does not have a current license and has not been in active practice in the United States during the past five years.~~

ITEM 4. Adopt the following **new** subrule 21.16(5):

21.16(5) Submit a sworn statement of previous barbering practice from an employer or professional associate, detailing places and dates of employment and verifying that the applicant has practiced barbering at least 2,080 hours or taught as the equivalent of a full-time faculty member for at least one of the immediately preceding years during the last two-year time period. Sole proprietors may submit the sworn statement on their own behalf.

ITEM 5. Amend rule ~~645—24.1(158)~~, definitions of “Hour of continuing education” and “Independent study,” as follows:

“Hour of continuing education” means at least 50 minutes spent by a licensee ~~in actual attendance at and completion of an approved continuing education activity~~ completing an approved continuing education activity through live, virtual, online or prerecorded means where the instructor provides proof of completion by the licensee as set forth in these rules.

“Independent study” means a subject/program/activity that a person pursues autonomously that meets standards for approval criteria in the rules ~~and includes a posttest.~~

[Filed 1/26/23, effective 3/29/23]

[Published 2/22/23]

EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 2/22/23.